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#REZ-2015-0037

BILL NO. Z-15-09-02

ZONING MAP ORDINANCE NO. Z-18-15

AN ORDINANCE amending the City of Fort Wayne
Zoning Map No. O-03 (Sec. 12 of Wayne Township)

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,
INDIANA:

SECTION 1. That the area described as follows is hereby designated I2 (General
Industrial) District under the terms of Chapter 157 Title XV of the Code of the City of Fort
Wayne, Indiana:

The South 30 feet of Lot Number 8 in Van Voorhis Subdivision of Outlot Numbered
10, Plat "A" by Commissioner in Partition of Estate of Samuel Hanna, Deceased, in
the City of Fort Wayne, as recorded in Deed Book 58, page 442, in the Office of the
Recorder of Allen County, Indiana.

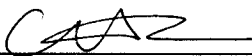
and the symbols of the City of Fort Wayne Zoning Map No. O-03 (Sec. 12 of Wayne
Township), as established by Section 157.082 of Title XV of the Code of the City of Fort
Wayne, Indiana is hereby changed accordingly.

SECTION 2. That this Ordinance shall be in full force and effect from and after its
passage and approval by the Mayor.



Council Member

APPROVED AS TO FORM AND LEGALITY:



Carol T. Helton, City Attorney

**City of Fort Wayne Common Council
DIGEST SHEET**

Department of Planning Services

Title of Ordinance: Zoning Map Amendment
Case Number: REZ-2015-0037
Bill Number: Z-15-09-02
Council District: 6-Glynn Hines

Introduction Date: September 8, 2015
Plan Commission
Public Hearing Date: September 14, 2015
Next Council Action: Ordinance will return to Council after recommendation by the Plan Commission

Synopsis of Ordinance: To rezone approximately 0.01 acres of property from R3-Multiple Family Residential to I2-General Industrial
Location: The 30 foot wide lot north of 1201 East Creighton Avenue
Reason for Request: To bring the zoning of the property into compliance with the remaining property owned by the applicant.
Applicant: Tom Barto
Property Owner: Tom Barto

Related Petitions: none

Effect of Passage: Property will be rezoned to the I2-General Industrial zoning district which will match the remainder of the adjacent property owned by Mr. Barto and can be used for future expansion of the business and buffering.
Effect of Non-Passage: The property will remain zoned for multiple family development. Given the size of the property it is unlikely to be redeveloped with new residential uses.

**Department of Planning Services
Rezoning Petition Application**

Applicant
 Applicant TOM BARTO
 Address ~~9178~~ 1201 E. CREIGHTON AVE
 City FORT WAYNE State IN Zip 46803
 Telephone (260) 744-4987 E-mail CR9TANDC@AOL.COM

Contact Person
 Contact Person SAME
 Address _____
 City _____ State _____ Zip _____
 Telephone _____ E-mail _____

All staff correspondence will be sent only to the designated contact person.

Request
 Allen County Planning Jurisdiction City of Fort Wayne Planning Jurisdiction
 Address of the property 2200 black Oliver - Lot 8 Only 62-12-12-404-012.000-074
 Present Zoning R3 Proposed Zoning I2 Acreage to be rezoned _____
 Proposed density N/A units per acre
 Township name Wayne Township section # 12
 Purpose of rezoning (attach additional page if necessary) Bring site into same district with remainder of industrial property
 Sewer provider FW Water provider FW

Filing Requirements
Applications will not be accepted unless the following filing requirements are submitted with this application. Please refer to checklist for applicable filing fees and plan/survey submittal requirements.

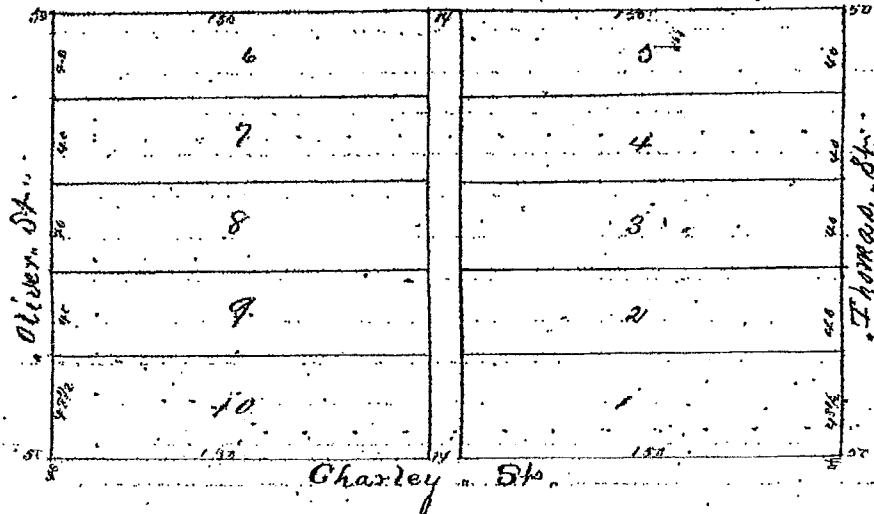
- Applicable filing fee
- Applicable number of surveys showing area to be rezoned (plans must be folded)
- Legal Description of parcel to be rezoned
- Rezoning Questionnaire (original and 10 copies) County Rezoning Only

I/We understand and agree, upon execution and submission of this application, that I am/we are the owner(s) of more than 50 percent of the property described in this application; that I/we agree to abide by all provisions of the Allen County Zoning and Subdivision Control Ordinance as well as all procedures and policies of the Allen County Plan Commission as those provisions, procedures and policies related to the handling and disposition of this application; that the above information is true and accurate to the best of my/our knowledge; and that I/we agree to pay Allen County the cost of notifying the required interested persons at the rate of \$0.85 per notice and a public notice fee of \$50.00 per Indiana code.

<u>THOMAS BARTO</u> (printed name of applicant)	<u>Thomas L Barto</u> (signature of applicant)	<u>7-31-15</u> (date)
_____ (printed name of property owner)	_____ (signature of property owner)	_____ (date)
<u>THOMAS BARTO</u> (printed name of property owner)	<u>Thomas L Barto</u> (signature of property owner)	<u>7-31-15</u> (date)
_____ (printed name of property owner)	_____ (signature of property owner)	_____ (date)

Received <u>8/4/15</u>	Receipt No. <u>118671</u>	Hearing Date <u>9/14/15</u>	Petition No. <u>REZ 2015 - 0037</u>
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Van Voorhis, Sub-Div:
S. 1/2 Lot 10 Hannas Plat. A.



I certify the above to be a correct plat of Van Voorhis Subdivision of Lot 10 Hannas Plat. A. The size of Lots and widths of streets and alleys are marked with figures in Red ink Surveyed and platted by me this 27th day of June 1873.

Wm. Manthey
Dep. Co. Surveyor
Allen Co.

I, Frank Van Voorhis Proprietor do lay off the annexed plat as Van Voorhis subdivision of Lot ten Hannas Plat. A. Being numbered from One to ten inclusive and of dimensions as marks on the plat.

In Witness whereof I hereunto set my hand and seal this Seventh day of July 1873

Frank Van Voorhis
by Jno S Edwin attorney

State of Indiana 3 S.S.
County of Allen

Personally appeared before me the undersigned Notary Public in and for said County, Jno S Edwin atty for Frank Van Voorhis the Proprietor and Acknowledged the annexed plat to be his purposes therein expressed.

Witness my hand and Notarial seal at Fort Wayne Ind. this Seventh day of July 1873.

E. C. Dumbard

Recorded July 8th 1873

M. N. K.

N.P.

#204081390

RECORDED
11/09/2004 14:28:52
RECORDER
PATRICIA J CRICK
ALLEN COUNTY, IN

Doc. No. 204081390
Receipt No. 37119

MAIL TAX BILLS TO:
1201 East Creighton Av
Fort Wayne, IN 46803

KEY NO: 93-4150-5008 0.00
02-12-12-404-010.500-374
WAYNE

QUITCLAIM DEED

THIS INDENTURE WITNESSETH, that the Allen County Community Development Corporation, an Indiana Not For Profit Corporation; by Edwin J. Rousseau its President of Board of Directors (GRANTOR) of Allen County in the State of Indiana QUITCLAIMS to Barto, Thomas L , (GRANTEE) of Allen County in the State of Indiana in consideration of One Dollar (\$1.00) and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the following described real estate in Allen County, in the State of Indiana:

The South 30 feet of Lot Number (8) in Van Voorhes Subdivision of Out Lot Numbered 10, Plat "A" By Commissioner in Partition of Estate of Sammuel Hanna, Deceased, in the City of Fort Wayne.

Property Add: 2233 Oliver St


Subject to all real estate taxes, assessments, other liens and encumbrances, and to all encroachments and easements, visible or of record, and to all restrictions, conditions and limitations of record.

No gross income tax is due.

Dated this 4 day of Nov., 2004.

ALLEN COUNTY COMMUNITY DEVELOPMENT CORPORATION, an Indiana Not For Profit Corporation

Allen County CDC

By: 
Edwin J. Rousseau,
Its: President of Board of Directors

AUDITOR'S OFFICE
Duty entered for taxation. Subject
to final acceptance for transfer.

FILED

04-7319
ALLEN COUNTY AUDITORS' NUMBER

NOV 09 2004

NOV 09 2004


AUDITOR OF ALLEN COUNTY

SALES DISCLOSURE
FORM

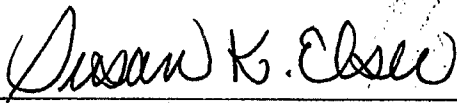
STATE OF INDIANA
COUNTY OF ALLEN

)
)SS:

Before me, the undersigned, a Notary Public in and for said County and State, this 4 day of NOV 2004, personally appeared, Allen County Community Development Corporation, an Indiana Not for Profit Corporation by Edwin J. Rousseau its President of Board of Directors and acknowledged the execution of the foregoing quitclaim deed. In witness whereof, I have hereunto subscribed my name and affixed my official seal.

My commission expires: **August 29, 2008**

Resident of **Allen** County

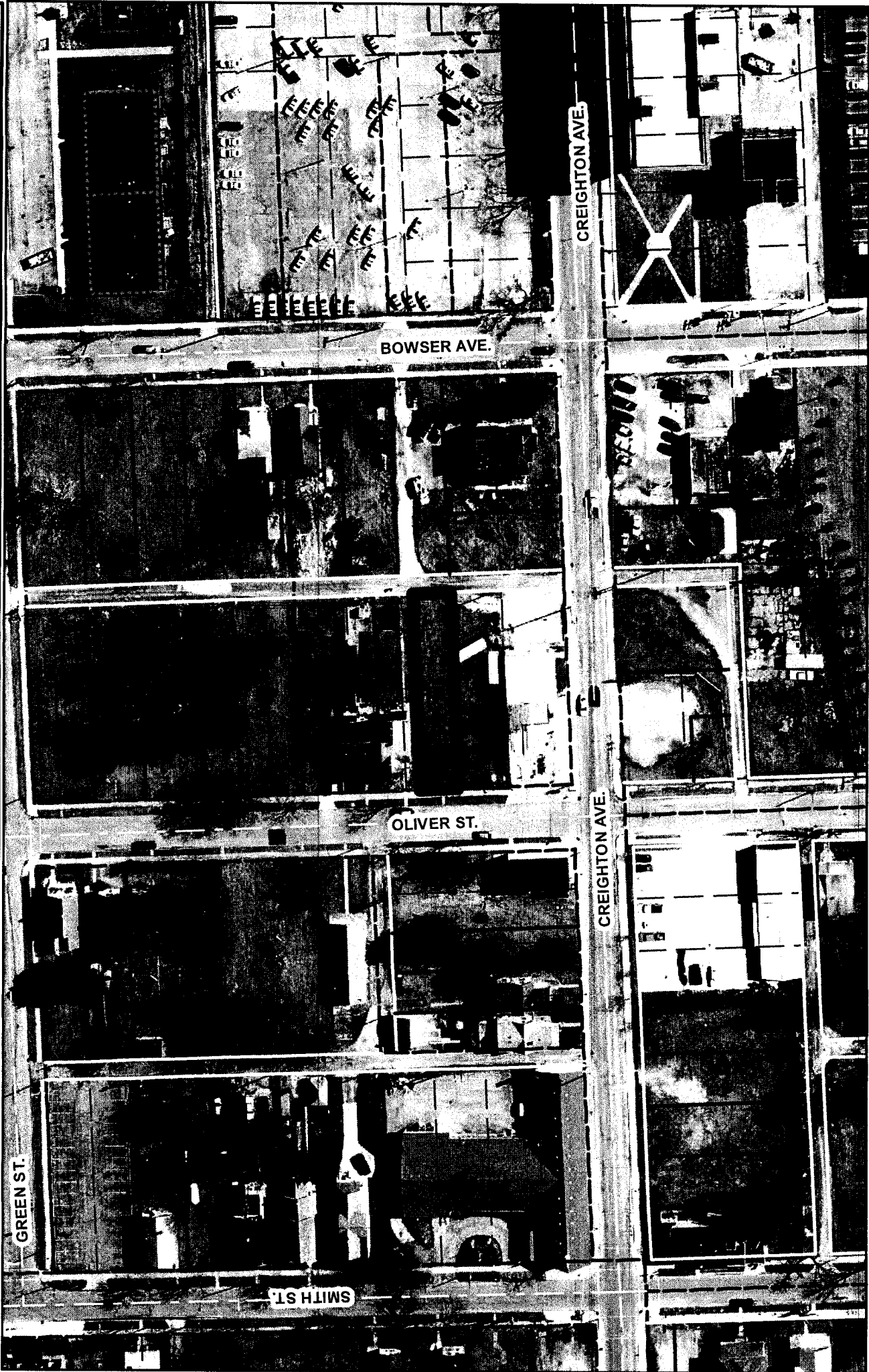


(Signature)
Printed **Susan K. Elser** _____

This instrument prepared by: Carrie Hawk Gutman (Atty No. 18689-02) 116 E. Berry Street Lincoln Tower Suite 302, Fort Wayne, Indiana 46802.

MAIL TO:

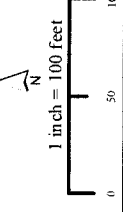
Rezoning Petition REZ-2015-0037



Project boundaries represented by bold colored lines are for representational purposes only.

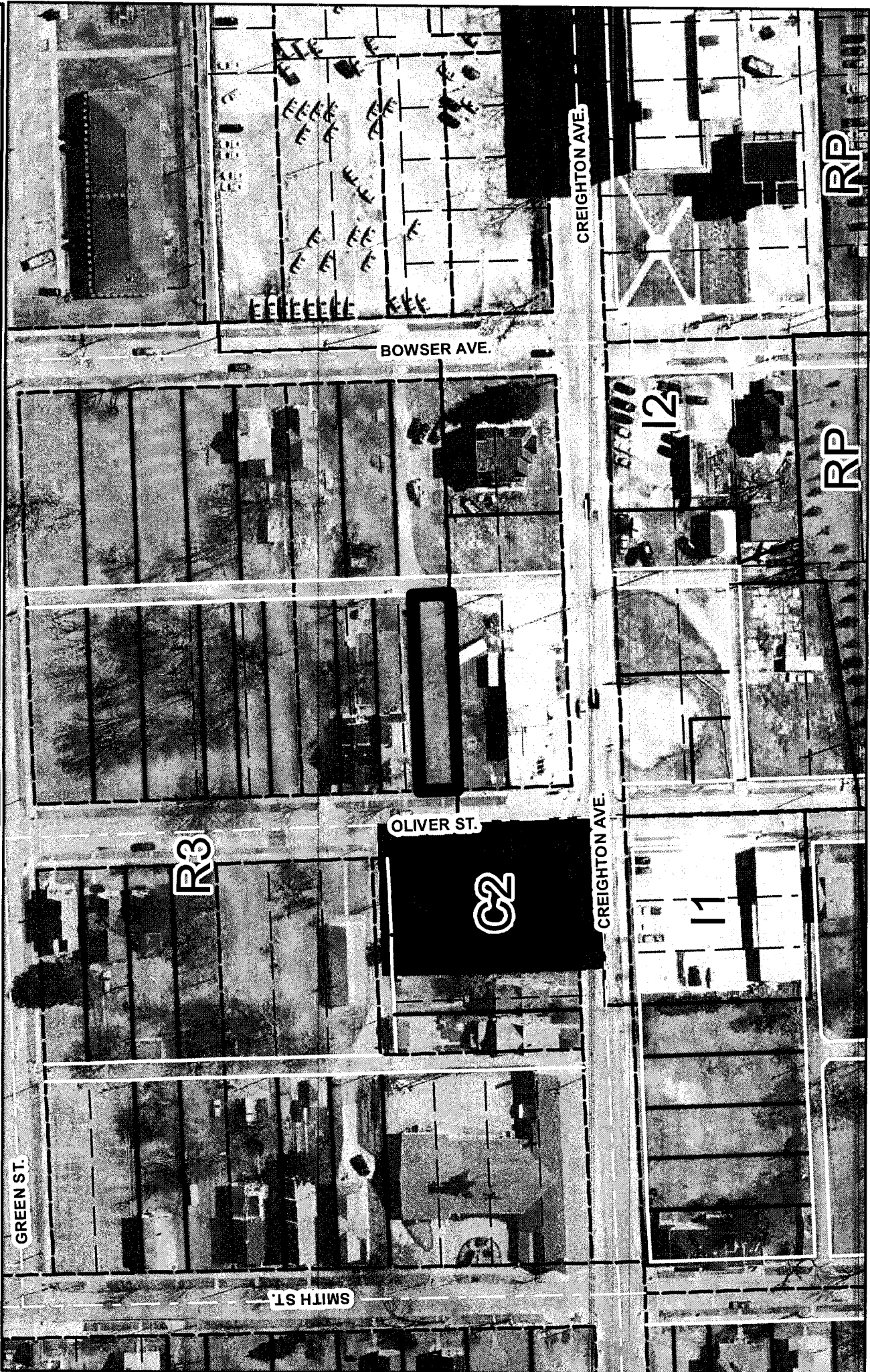
© 2004 Board of Commissioners of the County of Allen
North American Datum 1983
State Plane Coordinate System, Indiana East
Photos and Contours: Spring, 2009

Although strict accuracy standards have been employed in the compilation of this map, Allen County does not warrant or guarantee the accuracy of the information contained herein and disclaims any and all liability resulting from any error or omission in this map.



Date: 8/25/2015

Rezoning Petition REZ-2015-0037



Project boundaries represented by bold colored lines are for representational purposes only.

© 2004 Board of Commissioners of the County of Allen
North American Datum, 1983
State Plane Coordinate System, Indiana East
Photostand Contours: Spring 2009

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Date: 8/25/2015

Public Hearing Date, if applicable 10-13-15

Read the first time in full and on motion by Councilman Glynn Hiner

Read the second time by title and referred to the Regulations

Committee. Read the third time in full and on motion by Councilman

Glynn Hiner, placed on passage by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
<u>TOTAL VOTES</u>	<u>8</u>	<u> </u>	<u> </u>	<u>1</u>
BENDER	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
CRAWFORD	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
DIDIER	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
HARPER	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
HINES	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
JEHL	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
PADDOCK	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
SHOAFF	<u> </u>	<u> </u>	<u> </u>	<u>✓</u>
SMITH	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>

DATED: 10-13-15

Angela K Davis
ANGELA K. DAVIS, DEPUTY CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as
(ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING) ORDINANCE
(RESOLUTION) NO. 2-18-15 on the 13th day of
October, 2015

Angela K Davis ATTEST:
ANGELA K. DAVIS,
DEPUTY CITY CLERK

John N. Crawford
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day
of October, 2015, at the hour of 9:30 o'clock AM. E.S.T.

Angela K Davis
ANGELA K. DAVIS, DEPUTY CITY CLERK

Approved and signed by me this 16th day of OCTOBER
2015, at the hour of 11:30 o'clock AM. E.S.T.

Thomas C. Henry
THOMAS C. HENRY, MAYOR

BILL NO. Z-15-09-02

REPORT OF COMMITTEE ON REGULATIONS

October 13, 2015

*Glynn Hines, Chair
Mitch Harper, Co-Chair
All Council Members*

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. O-03 (Sec. 12 of Wayne Township). The location is the 30 foot wide lot north of 1201 East Creighton Avenue. **COMMITTEE ON REGULATIONS HAVE HAD SAID** Ordinance under consideration and beg leave to report back to the Common Council that said ordinance

DO PASS

DO NOT PASS

ABSTAIN

NO REC

<i>Glynn Hines</i>	_____	_____	_____
<i>Martin A. Bond</i>	_____	_____	_____
<i>John W. Campbell</i>	_____	_____	_____
<i>Jim Harp</i>	_____	_____	_____
<i>Thomas Ridge</i>	_____	_____	_____
<i>F. Spurr</i>	_____	_____	_____
<i>Robert D. Old</i>	_____	_____	_____
<i>W. M.</i>	_____	_____	_____
_____	_____	_____	_____

**SANDRA E. KENNEDY
CITY CLERK**